

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

NEIL WALKER, # 095197,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action No. 1:08cv144-WHA
	)	(WO)
STATE OF ALABAMA, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**ORDER ON MOTION**

The petitioner has filed a pleading styled as a “Motion to Correct Judicial Mistake” (Doc. No. 29), in which he notes that this court’s order of May 27, 2008 (Doc. No. 27), in which this court denied the petitioner’s motion for leave to amend his habeas petition (Doc. No. 26), misidentified the case number of a previous habeas action filed by the petitioner. The petitioner asks that this court correct this error in its previous order and further asks that this court reconsider its ruling denying his motion for leave to amend. For good cause shown, it is **ORDERED** as follows:

1. To the extent that the petitioner asks this court to correct the erroneous case number provided in its order of May 27, 2008, the petitioner’s “Motion to Correct Judicial Mistake” (Doc. No. 29) is **GRANTED**. The court’s order of May 27, 2008 (Doc. No. 27) is hereby corrected to indicate that the case number for the petition for habeas corpus relief under 28 U.S.C. § 2254 previously filed in this court by the petitioner was **Civil Action No.**

**1:01cv1383-MEF**, not Civil Action No. 1:01cv1388-MEF, as erroneously indicated in the order of May 27, 2008.

2. To the extent that the petitioner asks this court to reconsider its ruling denying his motion for leave to amend his petition, the petitioner's "Motion to Correct Judicial Mistake" (Doc. No. 29) is **DENIED**. The petitioner is advised that the misidentification of the case number for his prior habeas action is of no legal consequence to the issues attendant to his motion for leave to amend his petition.

Done this 6<sup>th</sup> day of August, 2008.

/s/Wallace Capel, Jr.  
WALLACE CAPEL, JR.  
UNITED STATES MAGISTRATE JUDGE